IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

TUESDAY THE SEVENTEENTH DAY OF AUGUST TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE: **T.CH.SURYA RAO**

CRIMINAL PETITION No.3600 of 2004

Between:

Kavala Surya Prakash (A-1).

Petitioner
(Accused in Cr.No.96/2004 of
Piler Police Station)

AND

The State of A.P., rep. by its Public Prosecutor.

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Respondent/
Complainant

Petition under Section 438 of Crl.P.C. praying that in the circumstances stated therewith, the High Court will be pleased to direct the Station House Officer, Piler Police Station, Chittoor District to release the petitioner on bail in the event of his arrest in connection with Cr.No. 96/2004 of Piler Police Station, Chittoor District.

The Petition coming on for hearing upon perusing the petition and Grounds filed herein, and upon hearing the arguments of Mr. D.Kodanda Rami Reddy, Advocate for the Petitioner and of the Public Prosecutor on behalf of the Respondent.

The Court made the following **ORDER:**

" Petitioner who is A1 in the crime seeks anticipatory bail in connection with crime registered against him under sections 498-A and 307 read with Section 34 of IPC. The crime in this case was registered against him and others on 19-7-2004 on a complaint that was lodged before the court on 24-3-2003 and was forwarded to the police for investigation, that means nearly after one year four months of lodging the complaint in the court the crime was registered. It appears that on a report given by self-same defacto complainant, a crime was also registered at Madenapally, I Town Police Station under section 498-A IPC and the petitioner was granted anticipatory bail by the learned II Additional Sessions Judge, Chittoor in connection with said crime on 19-7-2004. On the same day the present crime was registered. The defacto complainant appears to have filed a suit for partition and a petition under Section 125 of Criminal Procedure Code in MC.No. 18/2003 seeking maintenance against the petitioner. The allegation made against the petitioner was that on 21-2-2003 after snatching away the jewellery from the defacto complainant, she was necked out alongwith her daughter from the house. The allegation of making an attempt on her life was earlier thereto, to the effect that the petitioner and others were trying to kill her in order to get the petitioner marry again with his sisters daughter. In view of the same the request of the petitioner for anticipatory bail may be considered.

In the result, the petition is allowed and the petitioner shall be enlarged on bail in the event of his arrest on his executing a bond for Rs. 5,000/- (Rupees five thousand only) with two sureties for a likesum each to the satisfaction of SHO, Piler Police Station. On such release the petitioner shall cooperate with the Investigating Officer in investigation and shall appear before him as and when required for the purpose of investigation in this case."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The III additional Sessions Judge, Tirupathi, Chittoor District.
2. The SHO, Piler Police Station, Chittoor District.
3. Two CCs to the Public Prosecutor, High Court of A.P.Hyd(OUT)
4. One CC to Mr. D.Kodanda Rami Reddy, Advocate (OPUC)
5. One spare copy.

SAH